

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK-----X  
In Re: SEAN M. MURRAY

Chapter 7

Case No. 1-17-44157-ess

Debtor(s)  
-----X**LOSS MITIGATION REQUEST - BY DEBTOR**

I am a Debtor in this case. I hereby request to enter into the Loss Mitigation Program with respect to *[Identify the property, loan and creditor(s) for which you are requesting loss mitigation]:*

PROPRIETARY LEASE AND SHARES SECURING TENANCY TO  
35-21 79TH ST. APT 4E JACKSON HEIGHTS, NEW YORK 11372

*[Identify the Property]*

xxxxxxxx9508

*[Loan Number]*

Fay Servicing, LLC P.O. Box 619063, Dallas, TX 75261-9063

*[Creditor's Name and Address]*

**SIGNATURE**

I understand that if the Court orders loss mitigation in this case, I will be expected to comply with the Loss Mitigation Procedures. I agree to comply with the Loss Mitigation Procedures, and I will participate in the Loss Mitigation Program in good faith. I understand that loss mitigation is voluntary for all parties, and that I am not required to enter into any agreement or settlement with any other party as part of entry into the Loss Mitigation Program. I also understand that no other party is required to enter into any agreement or settlement with me. I understand that **I am not required to request dismissal of this case** as part of any resolution or settlement that is offered or agreed to during the Loss Mitigation Period.

Sign: SEAN M. MURRAY Date: May 21, 2021

Print Name: SEAN M. MURRAY

*[First and Last Name]*

Telephone Number: 917.330.9284

*[i.e. 999-999-9999]*

E-mail Address [if any]: seanmurray@prodigy.net

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**LOSS-MITIGATION ORDER**

- ☒ A Loss Mitigation Request was filed by the debtor on [Date] May 21, 2021.
- ☐ A Loss Mitigation Request was filed by a creditor on [Date] \_\_\_\_\_, 20\_\_\_\_.
- ☐ The Court raised the possibility of loss mitigation, and the parties have had notice and an opportunity to object.

Upon the foregoing, it is hereby

**ORDERED**, that the following parties (the “Loss Mitigation Parties”) are directed to participate in the Loss Mitigation Program:

1. The Debtor

2. Fay Servicing, LLC, the Creditor with respect to  
PROPRIETARY LEASE AND SHARES TO [describe Loan and/or Property].  
35-21 79TH ST. APT 4E JACKSON HEIGHTS, NEW YORK 11372

3. [Additional parties, if any] US Bank Trust National Association,  
Not In Individual Capacity But As Owner Trustee For VRMTG Asset Trust

It is further **ORDERED**, that the Loss Mitigation Parties shall comply with the Loss Mitigation Procedures annexed to this Order; and it is further

**ORDERED**, that the Loss Mitigation Parties shall observe the following deadlines:

1. Each Loss Mitigation Party shall designate contact persons and disclose contact information by [suggested time is 7 days], unless this information has been previously provided. As part of this obligation, **a Creditor shall furnish each Loss Mitigation Party with written notice of the name, address and direct telephone number of the person who has full settlement authority.**

2. Each Creditor that is a Loss Mitigation Party shall contact the Debtor within **14 days of the date of this Order.**

\_\_\_\_\_  
1. All capitalized terms have the meaning defined in the Loss Mitigation Procedures

3. Each Loss Mitigation Party shall make its request for information and documents, if any, within **14 days of the date of this Order**.

4. Each Loss Mitigation Party shall respond to a request for information and documents within **14 days after a request is made, or 7 days prior to the Loss Mitigation Session, whichever is earlier**.

5. The Loss Mitigation Session shall be scheduled not later than \_\_\_\_\_ *[suggested time is within 35 days of the date of the order]*.

6. The Loss Mitigation Period shall terminate on \_\_\_\_\_ *[suggested time is within 42 days of the date of the order]*, unless extended as provided in the Loss Mitigation Procedures.

It is further **ORDERED**, that a status conference will be held in this case on \_\_\_\_\_ *[suggested time is within 42 days of the date of the order]* (the "Status Conference"). The Loss Mitigation Parties shall appear at the Status Conference and provide the Court with an oral Status Report unless a written Status Report that is satisfactory to the Court has been filed not later than 7 days prior to the date of the Status Conference and requests that the Status Conference be adjourned or cancelled; and it is further

**ORDERED**, that at the Status Conference, the Court may consider a Settlement reached by the Loss Mitigation Parties, or may adjourn the Status Conference if necessary to allow for adequate notice of a request for approval of a Settlement; and it is further

**ORDERED**, that any matters that are currently pending between the Loss Mitigation Parties (such as motions or applications, and any objection, opposition or response thereto) are hereby adjourned to the date of the Status Conference to the extent those matters concern (1) relief from the automatic stay, (2) objection to the allowance of a proof of claim, (3) reduction, reclassification or avoidance of a lien, (4) valuation of a Loan or Property, or (5) objection to confirmation of a plan of reorganization; and it is further.

**ORDERED**, that the time for each Creditor that is a Loss Mitigation Party in this case to file an objection to a plan of reorganization in this case shall be extended until 14 days after the termination of the Loss Mitigation Period, including any extension of the Loss Mitigation Period.

Dated:

BY THE COURT

\_\_\_\_\_  
*United States Bankruptcy Judge*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X

In re:

Case No.

Chapter

Debtor(s)

-----X

**LOSS MITIGATION FINAL REPORT**

Name of Lender: \_\_\_\_\_

Property Address: \_\_\_\_\_

Last Four Digits of Account Number of Loan: \_\_\_\_\_

File Date of Request for Loss Mitigation: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date of Entry of Order Granting Loss Mitigation: \_\_\_\_\_

Date of Entry of Order Approving Settlement (*if any*): \_\_\_\_\_

Other Requests for Loss Mitigation in this Case: \_\_\_\_ Yes \_\_\_\_ No

***The use of the Court's Loss Mitigation Procedures has resulted in the following (please check the appropriate box below):***

☐ Loan modification.

☐ Loan refinance.

☐ Forbearance.

☐ Short sale.

☐ Surrender of property.

☐ No agreement has been reached.

☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

In Re:

SEAN M. MURRAY

Case No.: 1-17-44157-ess

Chapter: 7

**CERTIFICATION OF SERVICE**

The undersigned certifies that on Friday, May 21, 2021, a copy of the annexed papers: LOSS MITIGATION REQUEST - BY DEBTOR; were served and filed electronically, upon:

1. Richard J. McCord, Chapter 7 Trustee  
Certilman Balin Adler & Hyman  
90 Merrick Avenue  
East Meadow, NY 11554
2. Robert A. Gavin, Jr., Clerk of the Bankruptcy Court  
271-C Cadman Plaza East, Suite 1595  
Brooklyn, NY 11201-1800
3. Miriam Rosenblatt, Attorney for Nationstar Mortgage LLC  
Robertson, Anschutz & Schneid, P.L., Bankruptcy Department  
6409 Congress Avenue, Suite 100  
Boca Raton, Florida 33487
4. Ehret Anne Van Horn, Esq., Attorney for Specialized Loan Servicing, LLC  
Gross Polowy, LLC  
1775 Wehrle Drive, Suite 100  
Williamsville, NY 14221
5. Robert W. Griswold, Esq., Attorneys for Fay Servicing, LLC  
as servicer for US Bank Trust National Association, Not In Its Individual Capacity  
But Solely As Owner Trustee For VRMTG Asset Trust  
LOGS Legal Group LLP f/k/a Shapiro, DiCaro & Barak, LLC  
175 Mile Crossing Boulevard Rochester, New York 14624

Dated: Friday, May 21, 2021

By: SEAN M. MURRAY  
SEAN M. MURRAY